

GEORGE G. WEICKHARDT (SBN 58586)
 WENDY C. KROG (SBN 257010)
 ROPERS, MAJESKI, KOHN & BENTLEY
 201 Spear Street, Suite 1000
 San Francisco, CA 94105-1667
 Telephone: (415) 543-4800
 Facsimile: (415) 972-6301
 gweickhardt@rmkb.com
 wkrog@rmkb.com

Attorneys for Defendant,
 JPMORGAN CHASE BANK, N.A.
 [additional counsel appear on signature page]

Sean P. Reis (Cal. Bar. No. 184044)
 EDELSON MCGUIRE, LLP
 Lakeview Tower
 30021 Tomas Street, Suite 300
 Rancho Santa Margarita, CA 92688
 Telephone: (949) 459-2124
 Facsimile: (949) 459-2123
 sreis@edelson.com

Attorneys for Plaintiffs,
 JEFFREY AND JENIFER SCHULKEN

**IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION**

JEFFREY SCHULKEN AND JENIFER
 SCHULKEN, individually and on behalf of a
 class of similarly situated individuals,
 Plaintiff,

v.

WASHINGTON MUTUAL BANK,
 HENDERSON, NEVADA; JPMORGAN CHASE
 BANK, N.A.,
 Defendants.

) CASE NO. 5:09-cv-02708-LHK
)
) **STIPULATION AND ~~PROPOSED~~**
) **ORDER REGARDING EXTENSION**
) **OF TIME TO FILE MOTION FOR**
) **PRELIMINARY APPROVAL**

) Judge: Hon. Lucy H. Koh
)
)
)

1 WHEREAS, on February 5, 2012, this Court entered an order requiring Plaintiffs to
2 either file a motion for preliminary approval of a class settlement or to finalize and mail out
3 the class notice by March 7, 2012; and
4

5 WHEREAS, since February 5, 2012 the Parties have had several discussions
6 regarding settlement and held a further telephonic mediation session with Judge Wayne
7 Andersen on February 28, 2012; and
8

9 WHEREAS, through these efforts, on March 7, 2012, the Parties reached an
10 agreement in principle with respect to the relief to be made available to the Class and
11 Subclass members, and have exchanged a draft settlement agreement. The agreement with
12 respect to the class relief is contingent upon reaching an agreement on Plaintiffs' attorneys'
13 fees and costs, which is currently being negotiated;

14 WHEREAS, the Parties request an additional 7 days to continue their negotiations,
15 with the hope of reaching a final resolution on all matters;
16

17 WHEREAS, Chase provided Plaintiffs' counsel with a partial list of Class members
18 that Chase was able to identify, and has supplemented that list with a small number of
19 additional Class members identified through a manual review. While Chase diligently
20 continues its efforts to produce a complete list of Class members, the work of reviewing
21 approximately 23,000 HELOC contracts to determine whether borrowers meet the Class
22 definition has taken longer than expected. To identify Class members, Chase has searched its
23 imaged borrower files and extracted HELOC contracts for the approximately 23,000
24 borrowers potentially included in the class. In an effort to comply with the Court's March 7
25 deadline, Chase also hired a vendor to assist with the process of reviewing HELOC contracts.
26 Despite best efforts and working through the weekend to complete this process, Chase needs
27 an additional seven days to complete the process of identifying the Class members.
28

1 This Stipulation is made in good faith and not for the purposes of delaying the
2 litigation.

3
4 Respectfully submitted,

5
6 Dated: March 7, 2012

Dated: March 7, 2012

7 By: /s/ Steven L. Woodrow

By: /s/ LeAnn Pedersen Pope

8 SEAN P. REIS (Cal. Bar. No. 184044)
9 EDELSON MCGUIRE, LLP
Lakeview Tower
30021 Tomas Street, Suite 300
10 Rancho Santa Margarita, CA 92688
Telephone: (949) 459-2124
11 Facsimile: (949) 459-2123
sreis@edelson.com

GEORGE G. WEICKHARDT (SBN 58586)
WENDY C. KROG (SBN 257010)
ROPERS, MAJESKI, KOHN & BENTLEY
201 Spear Street, Suite 1000
San Francisco, CA 94105-1667
Telephone: (415) 543-4800
Facsimile: (415) 972-6301
Email: gweickhardt@rmkb.com
wkrog@rmkb.com

13 EVAN M. MEYERS
14 STEVEN L. WOODROW
EDELSON MCGUIRE, LLC
350 N. LASALLE STREET
15 CHICAGO, ILLINOIS 60654
Telephone: (312) 589-6370
16 Facsimile: (312) 589-6378
Email: emeyers@edelson.com
17 swoodrow@edelson.com
Admitted Pro Hac Vice

LEANN PEDERSEN POPE
VICTORIA R. COLLADO
BURKE, WARREN, MACKAY
& SERRITELLA, P.C.
330 North Wabash, 22nd Floor
Chicago, IL 60611
Telephone: (312) 840-7000
Facsimile: (312) 840-7900
Email: lpope@burkelaw.com
vcollado@burkelaw.com
Admitted *Pro Hac Vice*

18
19 *Attorneys for Plaintiffs,*
JEFFREY AND JENIFER SCHULKEN

Attorneys for Defendant,
JPMORGAN CHASE BANK, N.A.

ORDER

Pursuant to the stipulation,

IT IS SO ORDERED.

Dated: March 8, 2012


UNITED STATES DISTRICT JUDGE LUCY H. KOH